

AMENDMENT TO THE CLAIMS

1. (Currently Amended) A method of allocating a channelisation code in a code division multiple access system comprising for each user.

selecting a node of a path in a code tree in dependence on the currently required spreading factor; and reserving all nodes on the code tree in an upward and downward direction from the selected node; wherein the selected node for any user must not coincide with a node reserved by any other user, characterised in that the path in the code tree is defined based on a required range of spreading factors, and wherein for each user the defined path is communicated to that user in the downlink during radio access bearer (RAB) establishment, and wherein the selected node for a user must not coincide with a node reserved by another user only if the user and the other user are operational at the same time.

2. (Original) The method of claim 1, wherein if a selected node does coincide with a node reserved by another user, a new path is defined for the user.

3. (Cancelled)

4. (Currently Amended) The method of ~~any one of claims~~ claim 1 to 3, further comprising the step of defining at least two paths in the code tree for any user.

5. (Currently Amended) The method of ~~any preceding~~ claim 1, wherein the step of defining a path in the code tree comprises defining an origin node for each user; and defining a path from the origin node based on the required range of spreading factors.

6. (Currently Amended) The method of ~~any preceding~~ claim 1, wherein the selected node for each user is communicated to the user in ~~the~~ data packets.